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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

CASE NO. CR17-0282JLR

11 Plaintiff,

ORDER

12 v.

13 STEVEN W. FISHER,

14 Defendant.

15 Before the court is Defendant Steven W. Fisher's motion for early termination of
16 supervised release. (Mot. (Dkt. # 70).) Plaintiff the United States of America (the
17 "Government") opposes his motion. (Resp. (Dkt. # 71).) United States Probation and
18 Pretrial Services ("Probation") also opposes the motion. (Probation Resp. (Dkt. # 72)
19 (sealed).) The court has considered the parties' submissions, the relevant portions of the
20 record, and the applicable law. Being fully advised, the court DENIES Mr. Fisher's
21 motion for early termination of supervised release.
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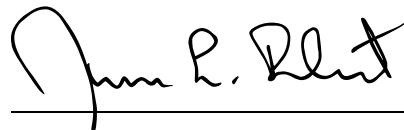
1 On December 3, 2018, Mr. Fisher pleaded guilty to one count of robbery, one
2 count of attempted robbery, and five counts of false impersonation of a federal officer.
3 (Judgment (Dkt. # 53) at 1.) The court sentenced Mr. Fisher to 60 months imprisonment
4 followed by three years of supervised release and restitution in the amount of \$125,000.
5 (*Id.* at 2-3.) Mr. Fisher's period of supervised release began on November 19, 2021 and
6 is set to expire on November 18, 2024. (Mot. at 1; Resp. at 5.) To date, Mr. Fisher has
7 not violated the terms of his release and has made monthly payments toward the
8 restitution he owes. (Mot. at 2.) Mr. Fisher has generally performed well on supervised
9 release, maintaining employment, getting involved in his daughters' lives, and entering a
10 healthy relationship. (*Id.*) Mr. Fisher has also voluntarily sought mental health
11 counseling. (*Id.*)

12 Mr. Fisher argues that termination of supervised release is warranted because "he
13 has demonstrated rehabilitation and has little risk of re-offending." (*Id.* at 3.) The
14 Government opposes the motion because Mr. Fisher's underlying offense conduct was
15 "violent and deceptive [in] nature," he still owes \$115,575 in restitution, and he has
16 completed just over one-third of his term of supervision. (Resp. at 1.) Probation also
17 opposes Mr. Fisher's release due to the nature of his criminal offenses and length of time
18 on supervised release, but notes that he has adjusted well to life after custody. (Probation
19 Resp. at 2.) Probation points to Mr. Fisher's employment, monthly restitution payments,
20 involvement in his daughters' lives, therapy attendance, and relationship as positive
21 factors in his life. (*Id.*)
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1 After considering the factors set forth in 18 U.S.C. § 3553(a), a court may
2 “terminate a term of supervision . . . at any time after the expiration of one year of
3 supervised release” if such action is warranted by the defendant’s conduct and in the
4 interests of justice. *See* 18 U.S.C. § 3583(e)(1). The crimes to which Mr. Fisher pleaded
5 guilty were very serious, as reflected by the length of his sentence and amount of
6 restitution he owes.

7 The court is pleased to see Mr. Fisher’s progress toward building a healthy, stable
8 life and his consistent progress toward paying off his restitution. However, the court
9 would like to see Mr. Fisher demonstrate that success over a substantially longer period
10 before it will consider early termination of his release. Accordingly, Mr. Fisher’s motion
11 is DENIED without prejudice. Mr. Fisher may move for early termination again on or
12 after November 19, 2023, if he is able to demonstrate continued success in maintaining
13 his employment, paying restitution, and complying with the other terms of his supervised
14 release.

15 Dated this 25th day of January, 2023.

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18 JAMES L. ROBART
19 United States District Judge
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